



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31186 of 2025

1. Niyamathulla

2. Chandhini

Petitioner(s)

Vs

The State Rep by its The Inspector of Police,
T-15, Kannagi Nagar Police Station, Pallikaranai,
Chennai-97. In Crime No.0399 of 2025

Respondent(s)

PRAYER This petition has been filed by the petitioner under Section 482 of BNSS, 2023, to enlarge the petitioners on bail in the event of their arrest in Crime. No. 0399 of 2025 on the file of the respondent police.

For Petitioner(s): M/s.Raji

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.side)



ORDER

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 98, 99 of BNS, 2023 r/w. 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.0399 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The allegation against the petitioners is that the petitioners attempted to illegally adopt a child belonging to one Vinisha by paying money, but were caught by officials while attempting for the same and it revealed that she had committed similar offence, leading to the registration of an FIR.

3.The learned counsel for the petitioner submitted that the alleged offence was taken place some years ago and purely on suspicion a false complaint has been foisted against the petitioners and the child was rescued and prays to grant anticipatory bail.

4.The learned Government Advocate (Crl.Side) for the respondent



acknowledged the rescue of child and stated there are no previous cases pending against the petitioners.

5. Considering the fact that the child has been secured and since there is no previous cases pending against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned District Munsif cum Judicial Magistrate, Sholinganallur***, on condition that the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b) the petitioners shall report before the respondent police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To
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- 1.The State Rep by its The Inspector of Police,
T-15, Kannagi Nagar Police Station,
Pallikaranai, Chennai-97. In Crime
No.0399 of 2025
- 2.The District Munsif cum Judicial
Magistrate, Sholinganallur.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
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